

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

KELSEY PENHALE,

No. 3:18-cv-02024-SB

Plaintiff,

ORDER

v.

ALLSTREAM BUSINESS US, LLC, and  
JOHN DOES 1-10,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge Beckerman issued a Findings and Recommendation [62] on January 28, 2020 in which she recommends the Court deny Plaintiff's motion for attorney's fees. Plaintiff filed timely objections to the Findings and Recommendation. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the

Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). The Court has carefully considered Plaintiff's objections and concludes that the objections do not provide a basis to modify the recommendation. The Court has also reviewed the pertinent portions of the record *de novo* and finds no error in the Magistrate Judge's Findings and Recommendation.

## **CONCLUSION**

The Court adopts Magistrate Judge Beckerman's Findings and Recommendation [62]. Accordingly, Plaintiff's motion for attorney's fees [55] is DENIED.

IT IS SO ORDERED.

DATED: March 4, 2020.

  
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MARCO A. HERNANDEZ  
United States District Judge